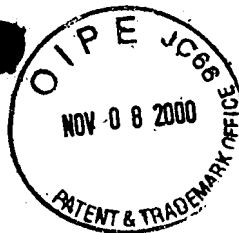


DOCKET NO.: TJU-2381



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 8  
chr  
11-15-00

In re application of:  
**Scott Waldman**

Serial No.: 09/304,193

Group Art Unit: 1642

Filed: May 3, 1999

Examiner: A Holleran

For: **METHODS OF AND KITS AND COMPOSITIONS FOR DIAGNOSING  
COLORECTAL TUMORS AND METASTASIS THEREOF**

I, Mark DeLuca, Registration No. 33,229 certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On Nov 6 2000

Mark DeLuca, Reg. No. 33,229

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**REPLY**

This reply is being filed in response to the Official Action dated October 4, 2000 for the above-identified patent application.

Claims 9-26 are pending in the application.

Claims 1-8 were canceled by way of the preliminary amendment filed January 7, 2000.

Claims 9-26 have been made subject of a requirement for restriction.

Applicant elects Group II, claims 23-26 with traverse.

**DOCKET NO.: TJU-2381**  
**PATENT APPLICATION**

**SERIAL NO.: 09/304,193**  
**FILED: MAY 3, 1999**

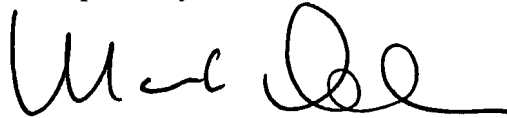
In support of the restriction requirement, it is urged that the subject matter in claims 9-22 (Group I, drawn to methods of detecting invasion of neoplastic colorectal cells comprising the use of antibodies and receptor ligands) is patentably distinct from the subject matter in claims 23-26 (Group II, drawn to methods of detecting invasion of neoplastic colorectal cells comprising the use of oligonucleotide probes).

Applicant urges that, while the subject matter in claims 9-22 is patentably distinct from the subject matter in claims 23-26, it would not be a burden on the patent office to search and examine both groups in a single application. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the requirement for restriction.

If the requirement for restriction is not withdrawn, Applicant respectfully elects examination of claims 23-26 on the merits and withdrawal of claims 9-22 from consideration.

The claims are in condition for allowance. An early Office Action to that effect is, therefore, earnestly solicited.

Respectfully submitted,



**Mark DeLuca**  
Registration No. 33,229

Date: **November 6, 2000**

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